

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed February 8, 2005. At the time of the Office Action, Claims 1-17 were pending in this Application. Claims 1-17 were rejected. Claims 1-17 have been amended to further define various features of Applicant's invention. Applicants respectfully request reconsideration and favorable action in this case.

Objections under 37 CFR 1.83(a)

Examiner has objected to the drawings for not showing every feature of the invention specified in the Claims under 37 CFR 1.83(a). Specifically, the Examiner objected to the drawings for not showing an "oval" shaped cutout and asserted that Figure 2 only illustrates "kidney-shaped" cutouts, not "oval" cutouts as claimed. Applicants respectfully disagree and submit the drawings are in compliance with 37 CFR 1.83(a). For example, a review of Figure 2 reveals two (2) cutouts in the upper region of 30 and one (1) cutout in the lower region of 30. And a closer review of Figure 2 reveals the two (2) upper cutouts are not as large as the single lower cutout. Consequently, to distinguish between the two shapes, which are similar in some respects, the Applicants being their own lexicographer have chosen to refer to the two upper cutouts of a certain size and shape as "oval" cutouts and the lower cutout of a different size and shape as a "kidney-shaped" cutout. It is noted that, according to Figure 2, the "kidney-shaped" cutout extends a greater distance around 28 than does either of the "oval" shaped cutouts. Consequently, Applicants submit the drawings are in compliance with 37 CFR 1.83(a) and illustrate "oval," "kidney-shaped," "polygonal," and "semicircular" shaped cutouts. Withdrawal of the objection is respectfully requested.

Priority

Applicants appreciate Examiner's acknowledgement of Applicants claim for foreign priority based on an application filed in Germany February 6, 2001. In accordance with 37 C.F.R. 1.55, Applicants intend to submit a certified copy of the aforementioned priority application upon receipt of favorable action in the present application and prior to payment of any issue fees.

Rejections under 35 U.S.C. § 112

Claims 2, 6, 11, 13, and 17 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants amend Claims 2, 6, 11, 13 and 17 to overcome these rejections and respectfully request full allowance of Claims 2, 6, 11, 13 and 17 as amended.

Rejections under 35 U.S.C. § 102

Claims 1, 3-5, 7-10, and 14-16 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 4,202,500 issued to Hubert Keiczek ("Keiczek"). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention. The Examiner has referred to "fuel bore 21" of Keiczek as teaching the claimed "cutout." A review of Figure 2 of the present application reveals Applicants' "fuel inlet 33" is different from cutouts 36. Applicants have amended the claims to specifically claim a fuel inlet bore in the stop element. Consequently, clarifying that the claimed "cutouts" are not the same as fuel inlet bore 33. Thus, as clarified, Applicants respectfully submit Keiczek does not disclose all of the limitations of the claims. Favorable reconsideration is requested.

Rejections under 35 U.S.C. §103

Claims 2 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Keiczek. Applicants respectfully traverse and submit the cited art does not render the claimed embodiment of the invention obvious.

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the

claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicants' disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

For the same reason noted above, Applicants submit Claims 2 and 13 are nonobvious over Keiczek. Withdrawal of the rejection is requested.

CONCLUSION

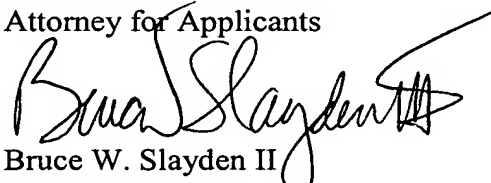
Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the claims as amended.

Applicants enclose a Petition for a one-month Extension of Time. Applicants also enclose a check in the amount of \$120.00 for the Extension fee.

Applicants believe there are no additional fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2606.

Respectfully submitted,
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